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PATENT**Remarks**

The Office Action mailed July 27, 2004 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-20 are now pending in this application. Claims 1-14 stand rejected. Claims 15-20 have been withdrawn from consideration.

The rejection of Claims 2-9 and 11-14 under 35 U.S.C. § 112 is respectfully traversed. Claims 2-9 and 11-14 have been amended to address the issues noted in the Office Action. For the reasons set forth above, Applicant respectfully requests that the Section 112 rejections of Claims 2-9 and 11-14 be withdrawn.

The rejection of Claims 1-4 and 8-14 under 35 U.S.C. § 102(b) as being anticipated by JP10218552 is respectfully traversed.

JP10218552 describes a clamp device for suspending rock wool to improve efficiency in the loading or unloading of rock wool. More specifically, a clamp device 12 for transferring of laminated rock wool made of longitudinally superimposed mat-like rock wool, comprises a frame 14, rocker members 16 and coil springs. The frame 14 is constituted of two cross members 20 and two longitudinal members 22, all of which form a rectangle. Each of the cross members 20 is provided on its underside with a contact plate 24 adapted to contact with the top of laminated rock wool. The rocker members 16 each constituted of a base 40, legs 42 and a side plate 44 are pressed by the springs in the directions away from each other. The side plates 44 are formed on their faces facing each other with plural projections 46 with vertical and horizontal intervals held between one and the next. The bases 40 are provided at their longitudinal middle portions with arms 48, which extend toward each other and have at their tips wire mounting parts 50.

Claim 1 recites an apparatus comprising "an upper plate assembly comprising a main portion, a first extension member and a second extension member, said extension members

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extending from said main portion at an angle," "a lower plate assembly connected to said upper plate assembly," "a first side plate and a second side plate, said side plates connected to said lower plate assembly, each said side plate comprising a top and a bottom" and "an engaging assembly attached to said upper plate assembly and said lower plate assembly, engagement of said engaging assembly causes said bottom of said first side plate to move toward said bottom of said second side plate."

JP10218552 does not describe nor suggest an apparatus which includes both an upper plate assembly and a lower plate assembly. As such, side plates connected to a lower plate assembly are neither described nor suggested. Rather, JP10218552 describes two frame members having a pair of rotating members (bases 40) extending between the ends of the two frame members forming a substantial rectangle. The combination of the two frame members and two rotating members in combination cannot be reasonably be construed as a plate assembly as a plate assembly would be understood to be describing a reasonably solid surface.

Referring again to JP10218552, a side board is attached to each rotating member using two legs. The side boards rotates inward when an upward force is applied to respective protrusions that extend inward from each rotating member. Nothing in JP10218552, specifically, legs 42 can be reasonably construed as a lower plate assembly. As such, an engaging assembly attached to both an upper plate assembly and lower plate assembly is not anticipated nor suggested by JP10218552.

For the reasons set forth above, Claim 1 is submitted to be patentable over JP10218552.

Claims 2-4, 8, and 9 depend, directly or indirectly, from independent Claim 1. When the recitations of Claims 2-4, 8, and 9 are considered in combination with the recitations of Claim 1, Applicant submits that dependent Claims 2-4, 8, and 9 likewise are patentable over JP10218552.

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In addition, for example, dependent Claim 2 recites that the upper plate assembly comprises a front roller assembly and a back roller assembly, each extending from a bottom of the upper plate assembly.

Nothing in JP10218552 can be reasonably construed as either a front roller assembly or a back roller assembly. As described above, JP10218552 describes rotating members (40 or 26) extending between the ends of the two frame members. The rotating members cannot be construed as a roller assembly. Still further, rotating members (40 or 26) do not extend from a bottom of an upper plate assembly as do the recited roller assemblies.

Claim 10 recites a tool for installing slats on a triangular slat holder. The tool comprises "an upper plate assembly," "a lower plate assembly connected to said upper plate assembly," "a pair of side plates connected to said lower plate assembly" and "an engaging assembly attached to said upper plate assembly and said lower plate assembly, engagement of said engaging assembly causes a bottom of said first side plate to move toward a bottom of said second side plate."

JP10218552 does not describe nor suggest a tool which includes both an upper plate assembly and a lower plate assembly. As such, side plates connected to a lower plate assembly are neither described nor suggested. Rather, and as described above, JP10218552 describes two frame members and a pair of rotating members (bases 40) extending between the ends of the two frame members forming a substantial rectangle. The combination of the two frame members and two rotating members in combination cannot be reasonably be construed as a plate assembly as a plate assembly would be understood to include a reasonably solid surface.

A side board is attached to each rotating member using two legs. The side boards rotates inward when an upward force is applied to respective protrusions that extend inward from each rotating member. Nothing in JP10218552, specifically, legs 42 can be reasonably construed as a lower plate assembly. As such, an engaging assembly attached to both an upper plate assembly and lower plate assembly is not anticipated nor suggested by JP10218552.

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For the reasons set forth above, Claim 10 is submitted to be patentable over JP10218552.

Claims 11-14 depend, directly or indirectly, from independent Claim 10. When the recitations of Claims 11-14 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claims 11-14 likewise are patentable over JP10218552.

For the reasons set forth above, Applicants respectfully request that the Section 102 rejection of Claims 1-4 and 8-14 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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